

REMARKS

The Applicant respectfully requests entry of the above amendment and reconsideration in view of the amendment and the following remarks.

New claim 11 is similar to claim 5, except it is dependent on claim 4, and is allowable for the same reasons as claim 5.

New claim 12 is a product by process claim based on claim 1 and is allowable for the same reasons as claim 1.

New independent claims 13 and 14 have similar subject matter to claims 1 and 3 respectively and are allowable for the same reasons.

New claim 15 is a combination of claims 4-9 in method format, and is allowable for the same reasons as those claims.

The claims have been amended to broaden the claimed subject matter and to correct grammatical errors, and to put the claims in a format that is more conventional in US practice.

In response to the objection to the drawings under 37 CFR 1.84(p)(5) proposed corrections of figures 2, 7 and 9 accompany this amendment.

In response to the suggestion to add headings, applicant respectfully declines to add headings because they are not required by the statute or rules, and could be inappropriately used in interpreting the specification.

Applicant gratefully acknowledges the examiner's statement that claim 8 would be allowable if rewritten in independent form including all of the limitations of the base claim. In response, application has added new independent claims 16 and 17 which is based on claim 8. Thus, claims 16 and 17 are in condition for allowance.

Regarding the rejections of the claims, applicant respectfully traverses the assertions in the previous office actions.

In response to the rejection of claim 9 under U.S.C 112, 2nd ¶, for being indefinite for including a broad range followed by "such as" and then a narrow language, claim 9 has been amended to cancel the narrow language to broaden the claim. New claim 10 containing the narrow language and dependent on claim 9 has been added.

In response to the rejection of claims 1-4, 6-7 and 9 under 35 USC 102(e) as being anticipated by US patent 6,147,957 to Nagara, the citation does not suggest all the limitations of the rejected claims.

More specifically, with regard to claims 1 and 3, the citation fails to suggest "synchronizing patterns of marks, which patterns do not occur in the series of marks and comprise at least one long mark of at least the maximum runlength" as in claims 1 and 3.

Nagara does not suggest anything about the pattern of marks in the synchronization signals such as SY0, SY2, SY3, SY4, SY7.

With regard to claims 2 and 4-9, these claims are dependent on claims 1 or 3 and are thus patentable for at least the same reasons as described above for claims 1 and 3.

Furthermore, with regard to claims 2 and 4, Nagara does not suggest any mark that is less than the minimum runlength of the data of 3T.

Nagara at column 7 lines 33-37 describes the optical pulses used to produce a mark of minimum runlength of 3T and maximum runlength 11T. None of the locations pointed out in the office action or anywhere else in Nagara suggest a link mark of less length than the minimum runlength for the data.

Also, with regard to claim 7, Nagara does not suggest "variably selecting one out of a set of fixed linking sequences that each start with the link signal element followed by further signal elements" as in claim 7. Nagara does not suggest any variably selecting linking sequences.

Also, with regard to claim 9, Nagara does not suggest "compressing digital or analog input signals into units of information", as in claim 9.

In response to the rejection of claim 5 under 35 USC 103(a) as being unpatentable over Nagara above in view of US patent 5,881,037 to Tanaka, there is no suggestion or motivation in the prior art to combine these citations and the combination of citations does not suggest the invention of claim 5. There is no suggestion in either citation that a "long mark in the synchronizing pattern at a runlength longer than the sum of the maximum runlength and the runlength of the link mark". The combination of citations does not suggest any relation at all between the run length of a link mark and the runlength in a synchronizing pattern.

The claims are definite and distinguished from the citations and Applicant respectfully requests the allowance of all claims.

The Commissioner is hereby authorized to credit any overpayment or charge any fee (except the issue fee) including fees for any required extension of time, to Account No. 14-1270.

Respectfully submitted,

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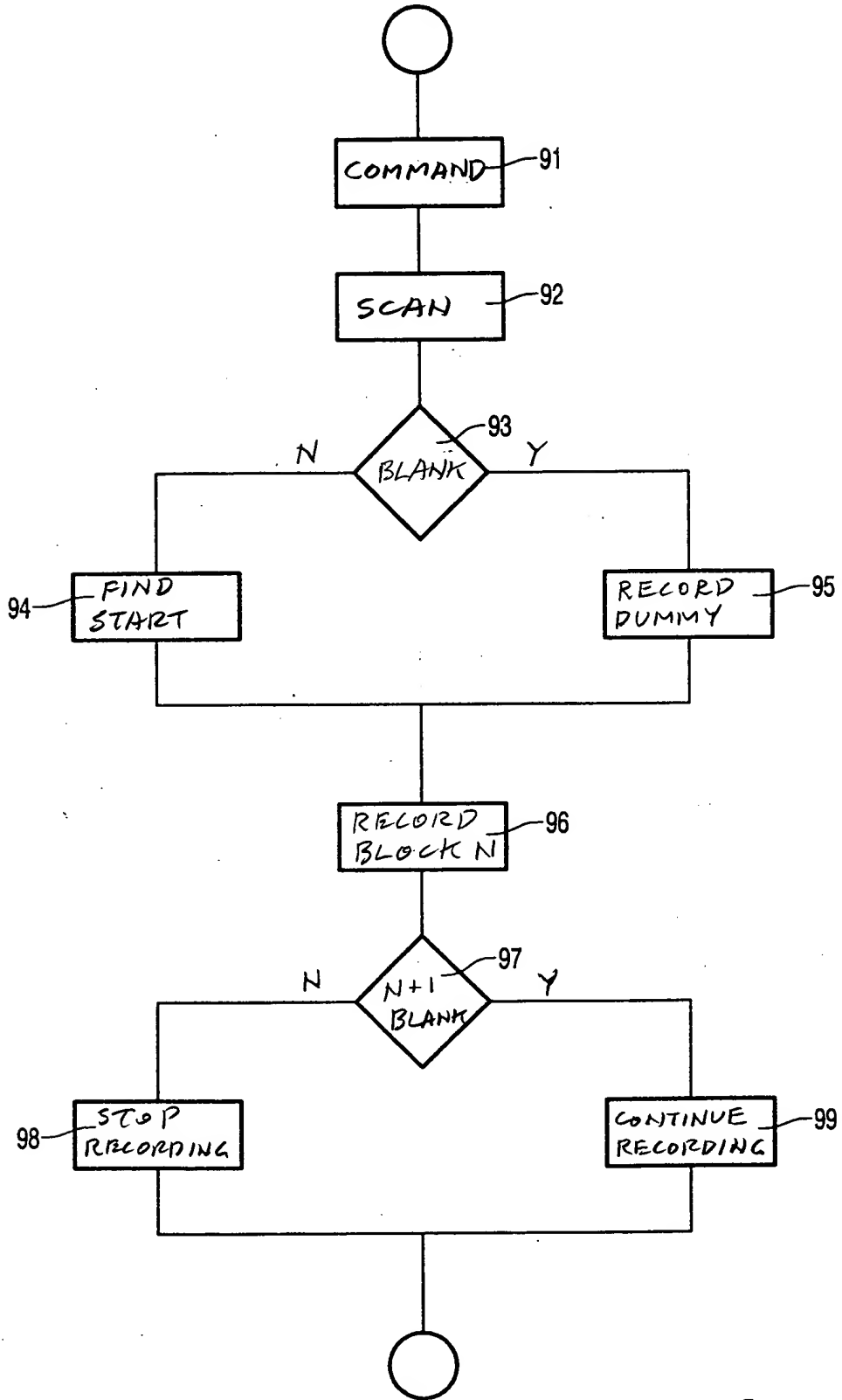


FIG. 9

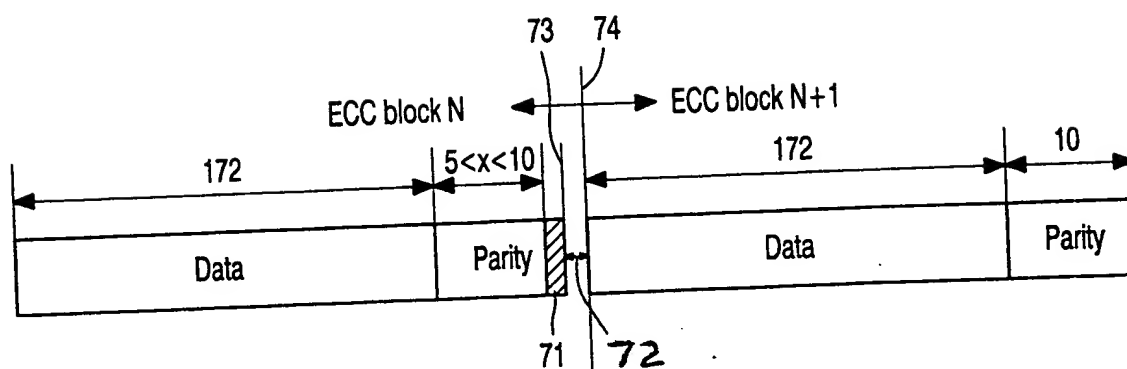


FIG. 7

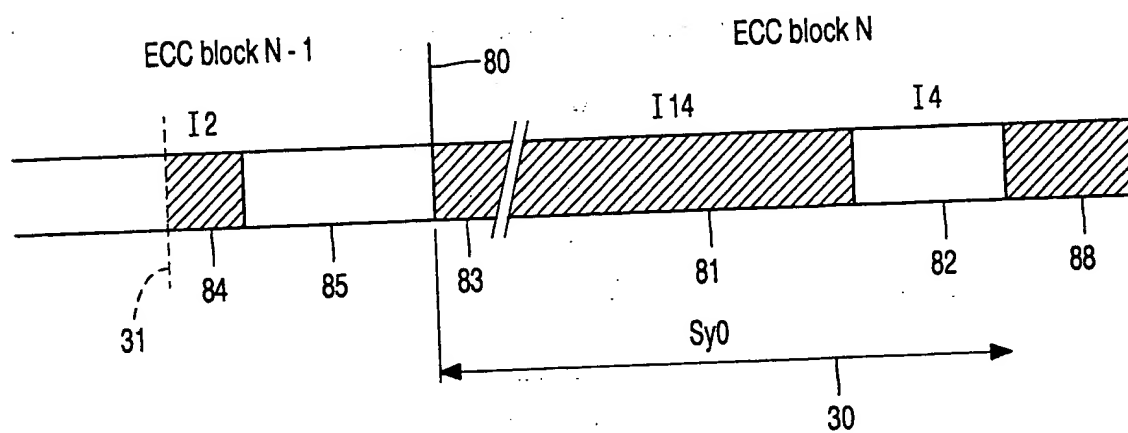


FIG. 8

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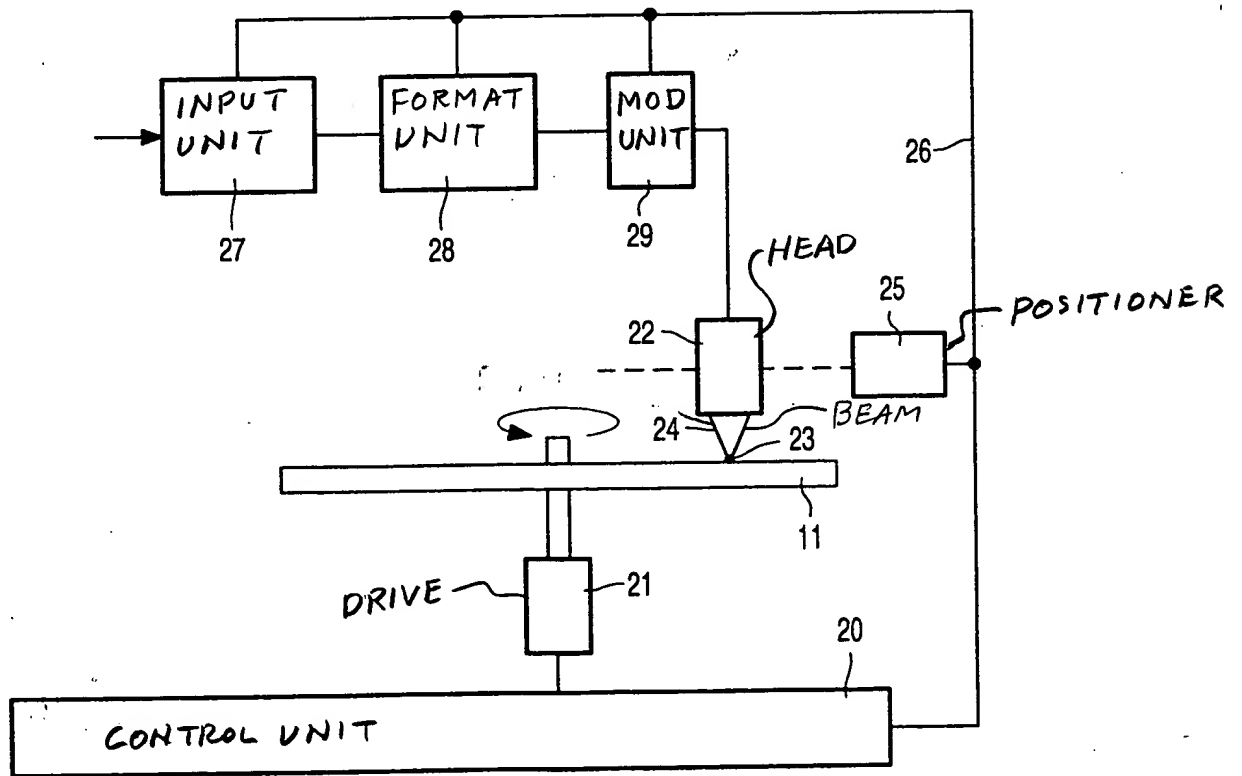
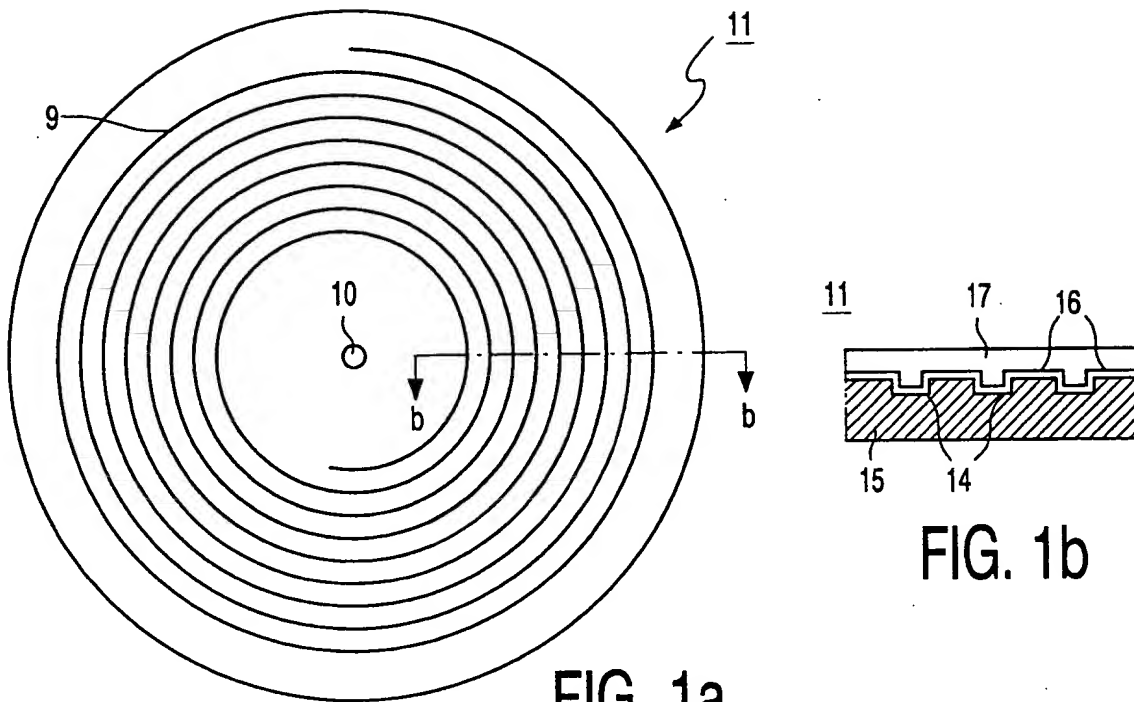


FIG. 2